

Newstead Town Board Meeting- April 14, 2003

A Regular Meeting was called to order by the Newstead Town Board on Monday, April 14, 2003 at the Newstead Town Hall at 8:00 PM.

Present: Gerald F. Summe- Supervisor
Joan M. Glor- Councilwoman
Thomas George- Councilman
David Cummings- Councilman
Harold L. Finger- Councilman
Fred Pask- Assessor
Christine Falkowski- Building Administrator
James Ebersole- Highway Superintendent
Andrew Casolini- Town Engineer
Dawn D. Izydorczak- Town Clerk
Kathleen McLeod Lang- Deputy Clerk

Supervisor Summe asked that everyone present think of our troops serving over seas and to remember our freedoms that they are fighting for.

Roll Call was taken with all board members present.

Superintendent Jim Ebersole led the pledge to the flag.

Minutes from the previous regular board meeting held on March 24, 2003 were presented for approval. A motion was made by Councilwoman Glor, seconded by Councilman Finger to approve as presented.

Carried Unanimously

Communications -Clerk presented the following:

A fax transmission from Amherst Central Alarm Office reporting the March 2003 calls for the Akron Fire Co.- 34 and the Newstead Fire Co.- 26.

A letter from Erie County Dept. of Environment & Planning announcing that April is Fair Housing month. Several activities are planned throughout the month. A schedule of events is posted on the Town Clerk's bulletin board.

A letter from BFI accompanied by a listing of the March complaint calls from Newstead customers.

A letter from the NYS DOT notifying the Board of completion of the requested traffic study on Stage Road between Crittenden and South Newstead roads. They have lowered the speed limit from 55mph to 45 mph. It will be the town's responsibility to post the new speed signs.

Two letters from Wendel Duchscherer: 1 regarding the proposed Water District #10 survey results and 1 regarding the cost of extra services on the Senior Center project.

A notice from the Erie County Department of Environment & Planning announcing its next Household Hazardous Waste Drop-off on Saturday, May 10, 2003 from 9:00am – 2:00pm at the Erie Community College North Campus on Wehrle Drive.

Two reports from Rural/Metro Medical Services: October 2002 – December 2002: Akron Fire Co. had 155 request, 106 cancels and 49 transports. Newstead Fire Co. had 98 requests, 54 cancels and 44 transports. January 2003- March 2003: Akron Fire Co. had 124 requests, 80 cancels and 44 transports. Newstead Fire Co. had 57 requests, 33 cancels and 24 transports.

A letter from NYS Department of Public Service seeking comments from officials and the public on the new proposed rule changes regarding cable television service. Copies of the proposed changes can be obtained from the Town Clerk's office or on line at www.ASKPSC.com. Comments can also be submitted via the website or by calling 1-800-335-2120.

A letter from Partners for a Livable Western New York announcing the highly-acclaimed exhibit "Smart Growth and Choices for Change" at the Burchfield-Penney Art Center on the campus of Buffalo State College from April 4 – June 29, 2003. There are a number of worthwhile special programs being offered during this time. Information is available from the Town Clerk.

A motion was made by Councilman George, seconded by Councilwoman Glor to receive and file correspondence as presented. Carried Unanimously

Work Session: Supervisor Summe reported that work session was held on April 7, 2003 and the following issues were discussed: Excavation Permit for County Line Stone, the Senior Center project, WD#5- Phase 3 & 4, Water District #10, Lateral Restriction Policy, Sewer District issues, LOSAP, site plan Niagara Mohawk, a moratorium on Used Car Dealerships, Celebration Committee, and Town Drainage District as well as other issues.

Privilege of the Floor –No one spoke

A motion was made by Councilwoman Glor, seconded by Councilman Finger approving the requested list of year end Budget Transfers by Bookkeeper Kathy Strobele. Carried Unanimously

Approval of Bills -Councilwoman Glor reported that she had reviewed the Abstract from Batch #128 from the 3/24/03 meeting with the previously UN-audited vouchers and found everything in order. She presented Abstract Batch #129 & 132. Vouchers on Abstract Batch 129 & 132 numbered 1676,1677 & 1678-1755 totaling \$99,759.77 and were presented for payment approval by Councilwoman Glor, seconded by Councilman Cummings to approve payment.

Abstract Batch 129 & 132:

General Fund "A" -\$28,955.03, Fund "B" \$1,637.31, Highway "DA" -\$0, Highway: Outside Village (DB) \$3,577.23, Capital Projects- WD#5-Phase II (HC) \$10,437.65 Capital Projects- Library Project (HE) \$6,794.00, Senior Center (HF)- \$18,000.00, Fire Protection (SF) \$7,329.36, Refuse (SR) \$18,176.56, Sewer Fund (SS) \$1,740.57, and Water Districts (SW1) \$0, (SW2) \$80.45, (SW3) \$0, (SW4) \$102.40, (SW5) \$2,004.04, (SW6) \$277.93, (SW7) \$431.53, (SW7A) \$53.00, (SW8) \$29.26, (SW9) \$133.45, Trust & Agency (TA) \$0, Totaling \$99,759.77

Carried Unanimously

COMMITTEE AND DEPARTMENT HEAD REPORTS

Highway –Superintendent Ebersole reminded everyone of the Tire Drop off date of April 26th which will be advertise this week and the cost per ton for disposal of the tires is \$81.25 per ton this year. The new speed limit signs are posted on Stage road, he will be attending school on June 2-4, they are working on highway roof estimates and cemetery issues, and drainage pipes are up to date. The highway will be going to their summer hours, Monday-Thursday 6:30AM-5: 00PM starting April 21,2003.

A motion was made by Councilman Cummings, seconded by Councilman Finger approving the purchase of 2- 2003 Dodge Ram 2500 4x4 Quad cab pick-up trucks with plow units at a total cost of \$24,356 for truck #1 and \$22,046 for truck #2 from Motors Fleet.

Carried Unanimously

Assessor –Taxable status day coming up May 1, 2003. All exemptions must be in by this date. He is in the process of doing fieldwork.

Building Office –the following building report was presented by the Building Administrator Christine Falkowski:

Golden Pond Estates	Lot#216	Manufactured Home
Golden Pond Estates	Lot#227	Manufactured Home
Golden Pond Estates	Lot#229	Manufactured Home

Golden Pond Estates	Lot#230	Manufactured Home
Golden Pond Estates	Lot#231	Manufactured Home
Golden Pond Estates	Lot#232	Manufactured Home
Darren Ponosny	8268 Fletcher	I/G Pool
Burt & Sue Denning	12557 Meahl	Garage
Burt & Sue Denning	12557 Meahl	Fence
Ronald Heist	13620 Steiner	A/G Pool
Christopher Nelson	11226 Crego	Garage Addition
Charles Mullins	12369 Main	Windows, roof, siding

Zoning Officer Rebecca Baker's zoning report and unsafe buildings report was presented.

A motion was made by Councilman Finger, seconded by Councilwoman Glor to accept and approve the building & zoning reports as presented.

Carried Unanimously

Town Clerk- Nothing at this time

Attorney for the Town-not present

COUNCILPERSONS

George –Nothing at this time

Cummings –Web site corrections and new pictures are being done, cemetery property concerns need to be discussed, Drainage District report will be in May.

Glor – Nothing at this time

Finger – Roof drainage system at the library and repairs at the Denio.

SUPERVISOR –Newstead Fire Company Annual Report on file for review. Sale of radio frequency is on going discussion with Jim Ebersole and Highway Department, along with investigations into our current status with our 800 MHz frequency.

A motion was made by Councilman Finger, seconded by Councilwoman Glor approving the position of Senior Clerk, competitive class for the Building & Assessors office.

Carried Unanimously

A motion was made by Councilwoman Glor, seconded by Councilman George approving the positions of 5 recreation attendants and 2 laborers for the 2001 Payroll Certification.

Carried Unanimously

UNFINISHED BUSINESS

Water District #5- Phase 3 & 4: Engineer Casolini reported restoration is continuing.

Water District #10 Survey-It is on track for water supply study at end of month

Christian Airmen Re-Zoning –Councilman George reported a copy of Draft Zoning Ordinance is out to everyone for review

LOSAP Proposals- Meeting with Village of Akron on April 21, 2003 and fire companies are meeting April 22, 2003 to finalize.

Senior Center-Councilwoman Glor reported that she spoke with architect and meeting is scheduled for coming week.

Sewer Project-Engineer Casolini met with DEC this week and plans have changed slightly.

Other-nothing

NEW BUSINESS

Approval of NEST Plan:

A motion was made by Councilwoman Glor, seconded by Councilman George adopting the NEST Plan and agreeing to implement solid waste plans and projects as identified in the recommendations and make modifications as necessary.

(Resolution Attached) Ayes-5 Nay-0 Carried Unanimously

Special Use Permit- Belotta-

A motion was made by Councilman Cummings, seconded by Councilman George authorizing a Public Hearing be called on April 28, 2003 at 7:50pm at the Newstead Town Hall to hear comments for or against a special use permit application to operate a used car sales lot by Richard Belotta at 13722 Main Road. The Town Clerk is authorized to publish a notice in the Akron Bugle.

(Resolution Attached) Ayes-5 Nay-0 Carried Unanimously

Excavation Permit- County Line Stone-

A motion was made by Councilman George, seconded by Councilman Cummings approving an annually renewable excavation permit to County Line Stone subject to the conditions set forth in the agreement, a copy of which will be on file with the building department.

(Resolution Attached) Ayes- 4 Nays-0 Abstain 1 Carried

Sewer District #2- SEQRA-

A motion was made by Councilman Finger, seconded by Councilwoman Glor declaring lead agency status on the proposed sewer district #2 extension to Whiting Industrial Park and authorizing Wendel Duchscherer to draft the paperwork to the appropriate agencies.

(Resolution Attached) Ayes- 5 Nay-0 Carried Unanimously

Local Law No. 2 of 2003- Public Hearing-

A motion was made by Councilwoman Glor, seconded by Councilman Cummings authorizing a public hearing to be called on May 12, 2003 at 7:45 PM to hear comments on proposed Local Law No. 2 of 2003- "Placing a One Year Moratorium on Granting of Special Permits for Used Motor Vehicle Sales & Service within the Town". The Town Clerk is authorized to place a notice of Public Hearing in the Akron Bugle.

(Resolution Attached) Ayes-5 Nay-0 Carried Unanimously

Site Plan – Buffalo Well Drilling-

A motion was made by Councilman Cummings, seconded by Councilwoman Glor approving the site plan for construction of a soils laboratory by Buffalo Well Drilling on Main Road, subject to the conditions set forth in the agreement.

(Resolution Attached) Ayes- 4 Nay-1 Carried

Special Use Permit – Buffalo Well Drilling-

A motion was made by Councilman Cummings, seconded by Councilwoman Glor approving the special use permit for operation of a soils laboratory in a C-2 zone for Buffalo Well Drilling on Main Road, subject to the conditions set forth in the agreement.

(Resolution Attached) Ayes- 4 Nay-1 Carried

Allocation of Funds – Senior Center-

A motion was made by Councilman Finger, seconded by Councilman George allocating the \$250,000 contribution from County Line Stone Co., Inc. towards the costs of construction of the new Senior Center addition at the Newstead Fire Hall and authorizing the Supervisor to make all appropriate fund transfers required to do so.

(Resolution Attached) Ayes-4 Nay-0 Abstain-1 Carried

Public Hearing – Niagara Mohawk Site Plan-

A motion was made by Councilman George, seconded by Councilman Cummings authorizing a public hearing to be called on April 28, 2003 at 7:45 PM to hear comments on proposed extension of substation located at 13789 Knapp Rd to 25 MVA and to construct an equipment building. The Town Clerk is authorized to place a notice of Public Hearing in the Akron Bugle.

(Resolution Attached) Ayes- 5 Nay-0 Carried Unanimously

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Other:

A motion was made by Councilman Cummings, seconded by Councilman George approving use of Town of Newstead Park facility for the July 3, 2003 fireworks. Carried Unanimously

Question Period- No one spoke

There being no further business to come before the board a motion was made by Councilwoman Glor, seconded by Councilman Cummings to adjourn the meeting with a moment of silence for our troops and those involved with the war at 9:00 PM

Carried Unanimously

Respectfully Submitted,

Dawn D. Izydorcak, Town Clerk